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OGC HAS REVIEWED.

24 July 1953

Memorandum for: Chief, Travel Section, Finance Division

From: Office of General Counsel

Subject: Reimbursement Voucher - [REDACTED]

25X1A

Reference: Your Memorandum dated 6 July 1953, same subject

25X1A 1. The reference requests the advice of this office in an interpretation of [REDACTED] as applied to the case of [REDACTED] was assigned to a position abroad in March 1951 as a contract agent. In accordance with his contract, he was entitled to ship household effects to his overseas post at any time within one year from his date of arrival. He was converted to staff employee status in December 1951. He shipped his household effects in May 1952, more than one year after the date of his original arrival but within one year of his conversion to staff status.

25X1A 2. [REDACTED] provides:

"The travel of the family and/or transportation of the effects may begin on or after the date of the authorization but not more than 1 year after the date on which the employee completes his travel pursuant to the authorization. If no travel of the employee is involved in connection with an appointment, the travel of the family and/or transportation of the effects may begin on or after the date of the authorization but not more than 1 year after the date on which the employee entered on duty."

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As you state, the question is presented whether the one-year limitation in paragraph (a) commenced to run in [REDACTED] case as of the date of his first arrival abroad as a contract agent or upon the date of his conversion to staff status.

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3. The answer to this question in the case of [REDACTED] would appear to be found in the second sentence of paragraph (a) which seems tailored to fit this situation. [REDACTED] service as a contract agent can be disregarded for purposes of this discussion inasmuch as the mutual rights and obligations of the parties to his contract terminated upon his conversion to staff status. Upon becoming a staff employee he acquired among other privileges the right to Government-furnished transportation of his personal effects subject, of course, to regulatory conditions. The circumstance that necessitated no further travel on his part to enter upon his duties as a staff employee does not, under existing regulations, deprive him of this privilege. The second sentence of paragraph (a) makes it clear that he is allowed until one year from his entrance on duty to obtain authorization for shipment of effects. The date of his entrance on duty must be taken to mean the date of his conversion to staff status.

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4. Accordingly, it is our opinion that [REDACTED] claim for reimbursement for the cost of shipping his personal effects in May 1952 may be paid if in all other respects proper.

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[REDACTED]

Attachment

OGC/GHK:imm

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